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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 2nd February, 1970/Magha 13, 1891 (Saka)

THE HARYANA AND PUNJAB AGRICULTURAL UNIVERSITIES ORDINANCE, 1970

No. 1 OF 1970

Promulgated by the President in the Twenty-first Year of the Republic of India.

An Ordinance to provide for the establishment of two independent Agricultural Universities in place of the Punjab Agricultural University constituted by the Punjab Agricultural University Act, 1961, and for matters consequential on, or connected with, the establishment of those independent Agricultural Universities.

WHEREAS, for the development of agriculture in the States of Haryana and Punjab, it is expedient to provide for the establishment of two independent Agricultural Universities in place of the Punjab Agricultural University constituted by the Punjab Agricultural University Act, 1961;

AND WHEREAS, the Legislatures of the States of Haryana and Punjab have passed resolutions in terms of clause (1) of article 252 of the Constitution in relation to the above-mentioned matter and matters ancillary thereto in so far as such matters are matters enumerated in List II in the Seventh Schedule to the Constitution;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

CHAPTER I

PRELIMINARY

Short title and commencement.

1. (*1*) This Ordinance may be called the Haryana and Punjab Agricultural Universities Ordinance, 1970.

(*2*) It shall come into force at once.

Definitions.

2. In this Ordinance, and in all Statutes made thereunder, unless the context otherwise requires,—

(*a*) "Academic Council" means, in relation to a corresponding University, the Academic Council of that University;

(*b*) "agriculture" includes the basic and applied science of soil and water management, crop and live-stock production and management, home science and the betterment of rural people;

(*c*) "appropriate Government" means,—

(*i*) in relation to the Haryana Agricultural University, the Government of the State of Haryana;

(*ii*) in relation to the Punjab Agricultural University, the Government of the State of Punjab;

(*d*) "Board", in relation to a corresponding University, means the Board of Management of that University;

(*e*) "college" means a constituent college of a corresponding University;

(*f*) "corresponding University" means,—

(*i*) in relation to the territories to which the functions of the Haryana Agricultural University extend, that University;

(*ii*) in relation to the territories to which the functions of the Punjab Agricultural University extend, that University;

(*g*) "existing University" means the Punjab Agricultural University constituted by section 3 of the Punjab Agricultural University Act, 1961; Punjab Act 32 of 1961.

(*h*) "library" means a library established or maintained by the corresponding University;

(*i*) "prescribed" means prescribed by the Statutes of a corresponding University;

(*j*) "Statutes" and "Regulations" mean, respectively, the Statutes and Regulations made by the corresponding University under this Ordinance;

(*k*) "transferred territories" means the territories added to the Union territory of Himachal Pradesh by sub-section (*1*) of section 5 of the Punjab Reorganisation Act, 1966; 31 of 1966.

(*l*) "Vice-Chancellor" means the Vice-Chancellor of the corresponding University.

CHAPTER II

ESTABLISHMENT OF CORRESPONDING UNIVERSITIES

Dissolution of the existing University and establishment of Haryana and Punjab Agricultural Universities.

3. As from the commencement of this Ordinance, the existing University shall stand dissolved and there shall be established in its place two independent Agricultural Universities, to be known respectively as the Haryana Agricultural University and the Punjab Agricultural University.

Incorporation.

4. (*1*) Each of the Agricultural Universities mentioned in section 3 shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property, and to contract, and may, by its name, sue and be sued.

(*2*) Each body corporate referred to in sub-section (*1*) shall consist of the Chancellor and the Vice-Chancellor of that University, the members of the Board, the Academic Council and all persons, who may hereafter become or be appointed as such officers or members, so long as they continue to hold such office or membership.

Territorial limits.

5. (*1*) The Haryana Agricultural University shall function within the territories of the State of Haryana and the Punjab Agricultural University shall function within such other territories to which the functions of the existing University extended immediately before the commencement of this Ordinance.

(*2*) Until a University is established in the Union territory of Himachal Pradesh, the Agricultural College at Palampur in the transferred territories shall, notwithstanding the dissolution of the existing University, continue to be a constituent college of the Punjab Agricultural University and shall cease to be such a constituent college on the establishment of a University in those territories.

(*3*) On the establishment of a University in the transferred territories, the assets and liabilities of the Punjab Agricultural University pertaining to the Agricultural College at Palampur shall stand transferred to, and shall vest in, such University.

Headquarters.

6. (*1*) The headquarters of the Haryana Agricultural University shall be at Hissar, and the headquarters of the Punjab Agricultural University shall be at Ludhiana, or at such other place as the appropriate Government may direct.

(*2*) Each corresponding University shall establish an office at the place at which the seat of the appropriate Government is located.

Objects of the corresponding University.

7. Each corresponding University shall be deemed to be established and incorporated for the following objects, namely:—

(*a*) making provision for imparting education in different branches of study, particularly agriculture, veterinary and animal science, agricultural engineering, home sciences and other allied sciences;

(*b*) furthering the advancement of learning and prosecution of research, particularly in agriculture and other allied sciences;

(*c*) undertaking the extension of such sciences to the rural people of the territories within which the University is required by this Ordinance to function;

(*d*) such other purposes as the appropriate Government may, by notification in the Official Gazette, direct.

Admission to the corresponding University.

8. (*1*) Each corresponding University shall, subject to the provisions of this Ordinance and the Statutes, be open to all persons:

Provided that nothing herein shall require any such University to admit to any course of study a number of students larger than the prescribed number.

(*2*) The appropriate Government may direct the corresponding University to reserve in any college seats for women, Scheduled Castes, Scheduled Tribes or such educationally backward classes of citizens as may be specified by that Government in this behalf, and where such direction has been given, the corresponding University shall make the reservations accordingly:

Provided that no such person shall be entitled to be admitted to a corresponding University unless he meets the standards laid down by the corresponding University.

Powers of corresponding University.

9. Each corresponding University shall have the following powers, namely:—

(*a*) to provide for graduate and post-graduate instructions in agriculture, veterinary and animal sciences, agricultural engineering, home sciences and other allied sciences and in such other branches of learning as that University may deem fit;

(*b*) to make provision for instructions in applied fields, research and the dissemination of the findings of research and technical information through an extension education programme;

(*c*) to institute degrees, diplomas and other academic distinctions;

(*d*) to hold examinations and to grant and confer degrees, diplomas and other academic distinctions to and on persons who shall have—

(*i*) pursued a prescribed course of study; or

(*ii*) carried out research in the University, or in an institution recognised in this behalf by the University, under the prescribed conditions;

(*e*) to confer honorary degrees or other distinctions in the prescribed manner and under prescribed conditions;

(*f*) to provide lectures and instructions for field workers, village leaders and other persons not enrolled as regular students of the University and to grant certificates to them when deemed desirable;

(*g*) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine;

(*h*) to institute teaching, research and extension education posts required by the University and to appoint persons to such posts;

(*i*) to create administrative, ministerial and other posts and to make appointments thereto;

(*j*) to institute and award fellowships, scholarships and prizes in accordance with the Statutes;

(*k*) to institute and maintain residential accommodation for students of the University;

(*l*) to supervise and control the residential accommodation and to regulate the discipline of the students of the University and to make arrangements for promoting their health and welfare;

(*m*) to institute and receive such fees and other charges as may be prescribed; and

(*n*) to do all such acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University.

Visitations.

10. (*1*) The Chancellor of a corresponding University may cause an inspection to be made by such person as it may direct, of the corresponding University, its buildings, laboratories, and equipment and of any institution maintained by that University, and may cause an inquiry to be made in respect of any matter connected with the administration and the finances of that University.

(*2*) The Chancellor of a corresponding University shall, in every case, give notice to the corresponding University of his intention to cause an inspection or inquiry to be made, and, on receipt of such notice, that University shall be entitled to appoint a representative who shall have the right to be present, and heard, at such inspection or inquiry.

(*3*) The Chancellor of a corresponding University may address the Board of that University with reference to the result of such inspection or inquiry with such advice as he may offer regarding the action to be taken.

(*4*) The Board shall communicate to the Chancellor such action as it proposes to take or has taken as the result of such inspection or inquiry.

(5) If the Board does not, within a reasonable time, take action to the satisfaction of the Chancellor, he may, after considering any explanation furnished or representation made by the Board, issue such directions as he may deem fit, and the Board shall comply with such directions.

CHAPTER III

MANAGEMENT OF A CORRESPONDING UNIVERSITY

Authorities and office of a corresponding University.

11. The following shall be the authorities and officers of each corresponding University, namely:—

(*a*) Authorities of a corresponding University—

(*i*) Board;

(*ii*) Academic Council;

(*iii*) Board of Studies; and

(iv) Such other authorities as may be declared by the Statutes to be authorities of the University.

(*b*) Officers of the corresponding University—

(*i*) Chancellor;

(*ii*) Vice-Chancellor;

(*iii*) Dean of Post-Graduate Studies;

(*iv*) Deans of the Colleges;

(*v*) Director of Research;

(*vi*) Director of Agricultural Extension Education;

(*vii*) Director of Students Welfare;

(*viii*) Registrar;

(*ix*) Comptroller;

(*x*) Estate Officer;

(*xi*) Librarian; and

(*xii*) Such other persons in the service of the University as may be declared by the Statutes to be officers of the University.

Chancellor.

12. (*1*) The Governor of the State of Haryana shall be the Chancellor of the Haryana Agricultural University and the Governor of the State of Punjab shall be the Chancellor of the Punjab Agricultural University.

(*2*) The Chancellor of a corresponding University shall, by virtue of his office, be the Head of that University and shall, when present, preside at a convocation of that University.

(*3*) The Chancellor of a corresponding University shall have such other powers as are specified in this Ordinance or as may be prescribed.

Constitution, powers and duties of the Board of a corresponding University.

13. (*1*) The appropriate Government shall, within a period of one year from the commencement of this Ordinance, establish a Board for the management of the corresponding University.

(*2*) The Board of the Haryana Agricultural University shall consist of—

(*a*) the Vice-Chancellor;

(*b*) the Chief Secretary to the Government of the State of Haryana;

(*c*) the Secretaries to the Government of the State of Haryana in the Departments of—

(*i*) Agriculture;

(*ii*) Finance; and

(*iii*) Community Development;

(*d*) persons, not being officials, appointed by the Government of the State of Haryana from amongst the following categories of persons, namely:—

(*i*) two from amongst persons who are, in the opinion of that Government, eminent agricultural scientists with background of agricultural research or education;

(*ii*) two from amongst persons who are, in the opinion of that Government, progressive farmers or live-stock breeders having experience of, and interest in, scientific farming and live-stock improvement;

(*iii*) one from amongst persons who are, in the opinion of that Government, distinguished industrialists, businessmen, manufacturers or live-stock breeders, associated with agricultural development; and

(*iv*) one from amongst women, who are in the opinion of that Government, outstanding social workers, preferably with a background of rural advancement.

(*3*) The Board of the Punjab Agricultural University shall consist of—

(*a*) the Vice-Chancellor;

(*b*) the Chief Secretary to the Government of the State of Punjab;

(*c*) the Secretaries to the Government of the State of Punjab in the Departments of—

(*i*) Agriculture; and

(*ii*) Finance;

(*d*) the Director of Agriculture, Punjab;

(*e*) the Director of Animal Husbandry, Punjab;

(*f*) one nominee of the Indian Council of Agricultural Research;

(*g*) two nominees of the Government of the Union territory of Himachal Pradesh;

(*h*) persons not being officials, appointed by the Government of the State of Punjab from amongst the following categories of persons, namely:—

(*i*) two from amongst persons who are, in the opinion of that Government, eminent agricultural scientists with background of agricultural research or education;

(*ii*) two from amongst persons who are, in the opinion of that Government; progressive farmers or live-stock breeders having experience of, and interest in, scientific farming and live-stock improvement;

(*iii*) one from amongst persons who are, in the opinion of that Government, distinguished industrialists, businessmen, manufacturers or live-stock breeders, associated with agricultural development; and

(*iv*) one from amongst women, who are in the opinion of that Government, outstanding social workers, preferably with a background of rural advancement.

(*4*) The Board of Haryana Agricultural University shall associate with its meeting the following persons as technical advisers, but the persons so associated shall not be entitled to vote at any such meeting:—

(*a*) the Director of Agriculture, Haryana;

(*b*) the Director of Animal Husbandry, Haryana; and

(*c*) two officers appointed by the Board of that University from amongst the Deans or Directors of that University.

(*5*) The term of office of the members of the Board, other than the official members, shall be three years:

Provided that two members of the Board, not being official members, shall retire at the end of each year.

(*6*) The members of the Board, other than the official members, shall determine, by lots, the members who shall retire at the end of each year.

(*7*) A member of the Board may resign his office by a notice in writing, addressed to the Chancellor of the corresponding University.

(*8*) If, for any reason, a vacancy occurs in the office of a member of the Board, the appropriate Government may fill the vacancy by appointing another person thereto in accordance with the provisions of this section.

(*9*) No act or proceeding of the Board shall be invalid merely on the ground of the existence of any vacancy in, or defect in the constitution of, such Board.

(*10*) Four members of the Board, in the case of the Haryana Agricultural University, and five members of the Board, in the case of the Punjab Agricultural University, shall be a quorum for a meeting of the Board:

Provided that if a meeting of the Board is adjourned for want of a quorum, no quorum shall be necessary at the next meeting for the transaction of the same business.

(*11*) The Chancellor shall be the Honorary Chairman of the Board and the Vice-Chancellor, the Working Chairman.

(*12*) The members of the Board shall not be entitled to receive any remuneration for the performance of their functions under this Ordinance except such daily and travelling allowances as may be prescribed:

Provided that nothing herein shall affect the emoluments or other conditions of service of the Vice-Chancellor.

(*13*) On the commencement of this Ordinance, the members of the Board of Management of the existing University shall be deemed to have vacated their offices as such.

Powers and duties of the Board.

14. The powers and duties of the Board shall be as follows:—

(*a*) to approve the budget submitted by the Vice-Chancellor;

(*b*) to hold and control the property and funds of the University and issue any general directive on behalf of the University;

(*c*) to accept or transfer any property on behalf of the University;

(*d*) to administer funds placed at the disposal of the University for specific purposes;

(*e*) to invest moneys belonging to the University;

(*f*) to appoint the officers, teachers and other employees of the University in the prescribed manner;

(*g*) to direct the form and use of the common seal of the University;

(*h*) to appoint such committees as it may deem necessary for its proper functioning;

(*i*) to borrow money for capital improvements and make suitable arrangements for its repayment;

(*j*) to appoint the Vice-Chancellor subject to the provisions of section 15;

(*k*) to meet at such times and as often as the Board may deem necessary:

Provided that regular meetings of the Board shall be held at least once in every two months;

(*l*) to regulate and determine all matters concerning the University in accordance with this Ordinance and the Statutes, and to exercise such powers and to discharge such duties as may be conferred or imposed on the Board by this Ordinance or the Statutes.

The Vice-Chancellor.

15. (*1*) The Vice-Chancellor shall be a whole-time officer of the corresponding University and shall be appointed by the Board in the prescribed manner:

Provided that where the members of the Board are not unanimous with regard to the selection of the person proposed to be appointed as the Vice-Chancellor, the appointment shall be made by the Chancellor of the concerned corresponding University:

Provided further that the first Vice-Chancellor of the Haryana Agricultural University shall be appointed by the Government of the State of Haryana:

Provided also that the person holding office immediately before the commencement of this Ordinance as the Vice-Chancellor of the existing University shall be deemed to be the first Vice-Chancellor of the Punjab Agricultural University and shall hold such office for the unexpired portion of his term of office as the Vice-Chancellor of the existing University.

(2) The term of office of the Vice-Chancellor shall be four years and he shall be eligible for re-appointment.

(3) The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be prescribed and shall not be varied to his disadvantage after his appointment.

(4) When a vacancy occurs, or is likely to occur, in the office of the Vice-Chancellor by reason of leave taken by the holder of such office or any cause other than the expiry of the term of office, the Registrar shall report the fact forthwith to the Board, and such vacancy shall be filled in accordance with the provisions of sub-section (1).

(5) Until the vacancy is filled under sub-section (4) or until such time as the Board designates an acting Vice-Chancellor, the senior-most Dean in the case of the Haryana Agricultural University or the Registrar, in the case of the Punjab Agricultural University, as the case may be, shall carry on the current duties of the office of the Vice-Chancellor.

(6) The Vice-Chancellor may relinquish office by resignation in writing addressed to the Board and ordinarily delivered to the Secretary of the Board at least two months prior to the date on which the Vice-Chancellor wishes to be relieved.

Powers and duties of the Vice-Chancellor.

16. (1) The Vice-Chancellor shall be the principal executive and academic officer of the corresponding University and the Chairman of the Academic Council and shall, in the absence of the Chancellor, preside at a convocation of the corresponding University and shall confer degrees on persons entitled to receive them.

(2) The Vice-Chancellor shall exercise control over the affairs of the corresponding University and shall be responsible for the due maintenance of discipline at that University.

(3) The Vice-Chancellor shall convene meetings of the Academic Council unless he temporarily delegates this power to some other officer of the corresponding University.

(4) Without prejudice to the powers conferred by this Ordinance on the appropriate Government, the Vice-Chancellor shall ensure the faithful observance of the provisions of this Ordinance and the Statutes and he shall exercise all such powers as may be necessary in that behalf.

(5) The Vice-Chancellor shall be responsible for the presentation of the budget and the statement of accounts to the Board.

(6) In any emergency, which, in the opinion of the Vice-Chancellor, requires immediate action to be taken, he shall take such action as he deems necessary and shall at the earliest opportunity report the action taken to the officer, authority or other body for confirmation who or which in the ordinary course would have dealt with the matter, but nothing in this sub-section shall be deemed to empower the Vice-Chancellor to incur any expenditure not duly authorised and provided for in the budget.

(7) Where any action by the Vice-Chancellor under sub-section (6) affects any person in the service of the corresponding University to his disadvantage, such action shall not be taken unless the person concerned has been given a reasonable opportunity of being heard, and the person against whom any action is proposed to be taken may prefer an appeal to the Board within thirty days of the date on which the action proposed to be taken against him is communicated to him.

(8) Subject as aforesaid, the Vice-Chancellor shall give effect to the orders of the Board regarding the appointment, suspension and dismissal of officers, teachers and other employees of the corresponding University.

(9) The Vice-Chancellor shall be responsible for the close co-ordination and integration of teaching, research and extension education.

(10) The Vice-Chancellor shall exercise such other powers as may be prescribed.

(11) The salary and allowances payable to the officers, teachers and other employees of the corresponding University shall be determined by the Vice-Chancellor with the approval of the Board.

The Registrar.

17. (1) The Registrar of a corresponding University shall be a whole-time officer of that University and shall be appointed by the Vice-Chancellor of that University with the approval of the Board.

(2) The Registrar of a corresponding University shall receive such remuneration and other emoluments as may be prescribed and shall not, during the tenure of his office, accept any remuneration or emolument other than the prescribed remuneration or emolument.

(3) The powers and duties of the Registrar of a corresponding University shall be as follows :—

(a) to be responsible for the custody of the records and the common seal of the University;

(b) to be the *ex officio* Secretary to the Academic Council and to the Board and to place before such Council and Board all such information as may be necessary for the transaction of business of the Council or the Board, as the case may be;

(c) to receive applications for admission into the University;

(d) to keep a permanent record of all syllabi, curricula and informations connected therewith;

(e) to make arrangements for the conduct of such examinations as may be prescribed and to be responsible for the due execution of all processes connected therewith;

(f) to perform such other duties as may be prescribed or required, from time to time, by the Vice-Chancellor.

Comptroller.

18. (1) The Comptroller of a corresponding University shall be a whole-time officer of that University and shall be appointed by the Vice-Chancellor of that University with the approval of the Board.

(2) The Comptroller shall manage the property and investments of the corresponding University and advise it in regard to its financial policy.

(3) The Comptroller shall be responsible to the Vice-Chancellor for all accounting matters of the corresponding University including the preparation and presentation of its Budget and statement of accounts.

(4) The Comptroller shall receive such remuneration as may be prescribed and shall not, during the tenure of his office, receive any remuneration or other emolument other than the prescribed remuneration.

(5) The Comptroller shall—

(a) ensure that expenditure, not authorised in the budget, is not incurred by the corresponding University except by way of investment; and

(b) disallow any expenditure not warranted by the terms of any Statute or for which provision is required to be made by the Statute but has not been so made.

(6) All moneys belonging to the corresponding University shall be kept in a Scheduled Bank approved by the Board.

The Estate Officer.

19. The Estate Officer of a corresponding University, who shall be appointed by the Vice-Chancellor with the approval of the Board, shall be responsible for the custody, maintenance and management of all the buildings, lawns, gardens and the other property of the University.

Director of Student Welfare.

20. (1) The Director of Student Welfare of a corresponding University shall be a whole-time officer of the corresponding University and shall be appointed by the Vice-Chancellor with the approval of the Board.

(2) The Director of Student Welfare shall have the following duties, namely :—

(a) to make arrangements for the housing of students;

(b) to direct a programme of student-counselling;

(c) to arrange for the employment of students in accordance with the plans approved by the Vice-Chancellor;

(d) to supervise the extra-curricular activities of students;

(e) to assist in the placement of graduates of the University; and

(f) to organise and maintain contact with the Alumni Association of the University.

Deans of Colleges.

21. (1) Each college shall have a Dean who shall be a whole-time officer and shall be appointed by the Vice-Chancellor with the approval of the Board.

(2) The Dean shall be responsible to the Vice-Chancellor for all matters concerning his college.

(3) The Dean shall be responsible for the organisation and the conduct of resident instruction of the Departments of the college.

The Librarian.

22. (1) The Librarian of a corresponding University shall be appointed by the Vice-Chancellor with the approval of the Board and shall be incharge of the Library.

(2) The Librarian shall be responsible to the Vice-Chancellor for all matters concerning the Library.

Academic Council.

23 (1) The Academic Council shall be in charge of the academic affairs of the University and shall, subject to the provisions of this Ordinance and the Statutes, superintend, direct and control, and be responsible for the maintenance of standards of instruction, education and examinations and other matters connected with the obtaining of degrees and shall exercise such other powers and perform such other duties as may be prescribed

(2) Without prejudice to the generality of the foregoing power, the Academic Council shall have power—

(a) to advise the Vice-Chancellor on all academic matters, including the control and management of the libraries,

(b) to co-opt at its meetings such Heads of Departments as it may consider necessary,

(c) to make recommendations to the Vice-Chancellor for the institution of the Professorships, Associate Professorships, Assistant Professorships and teacherships and other teaching posts and in regard to the duties and emoluments thereof;

(d) to formulate, modify or revise schemes for the constitution or reconstitution of departments of teaching, research and extension;

(e) to make regulations regarding the admission of students to the corresponding University;

(f) to make regulations regarding examinations conducted by the corresponding University and the conditions on which students shall be admitted to such examinations,

(g) to make regulations relating to courses of study leading to degrees, diplomas and certificates;

(h) to make recommendations regarding post-graduate teaching, research and extension;

(i) to make recommendations regarding the qualifications to be prescribed for teachers in the corresponding University,

(j) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under the provisions of this Ordinance.

(3) The Academic Council shall consist of—

(a) the Vice-Chancellor,

(b) the Deans of the Colleges of the University;

(c) the Director of Extension Education,

(d) the Director of Research,

(e) the Head of one Department from each college, to be selected by the respective college

(4) The term of office of the members specified in clause (e) of subsection (3) shall be two years

CHAPTER IV

COLLEGES

The Colleges. **24.** (*1*) The following colleges shall be the constituent colleges of the Haryana Agricultural University, namely:—

(*a*) the College of Agriculture at Hissar;

(*b*) the College of Veterinary Medicine at Hissar;

(*c*) the College of Animal Sciences at Hissar;

(*d*) the College of Basic Sciences and the Humanities and such other colleges as may be established by the University after the commencement of this Ordinance; and

(*e*) such Central Government institutions of agricultural research, technical and extension education in the State of Haryana as may desire to be integrated as colleges of the Haryana Agricultural University.

(*2*) The following colleges shall be the constituent colleges of the Punjab Agricultural University, namely:—

(*a*) the College of Agriculture at Ludhiana;

(*b*) the College of Agricultural Engineering at Ludhiana;

(*c*) the College of Basic Sciences and the Humanities at Ludhiana;

(*d*) the College of Home Science at Ludhiana;

(*e*) the College of Veterinary Medicine at Ludhiana;

(*f*) the Agricultural College at Palampur and such other colleges as may be established by the University after the commencement of this Ordinance; and

(*g*) such Central Government institutions of agricultural research, technical and extension education in the State of Punjab as may desire to be integrated as colleges of the Punjab Agricultural University.

(*3*) (*a*) There shall be a Board of Studies for each college of a corresponding University and where there is more than one college in a branch of learning, there may be one Board of Studies for all the colleges in that branch of learning.

(*b*) The Deans of various colleges shall be the Chairmen of the respective Boards of Studies and the Heads of Departments of the colleges shall be members thereof.

(*c*) Where there is a Board of Studies for more than one college in a branch of learning, the Deans shall act as Chairmen of the Board of Studies by rotation according to seniority for a period of one year each.

(*d*) The Vice-Chancellor may nominate to the Board of Studies such other teachers of related subjects or sciences from the same or other colleges, as he may deem fit.

(*e*) The duties of such Boards of Studies shall be to prescribe syllabi so as to ensure integrated and well-balanced courses of study.

(*4*) Every college shall comprise such Departments as may be prescribed and each Department shall be assigned such subjects of study as the Academic Council may deem fit.

(*5*) There shall be a Head of each Department who shall be responsible to the Dean, for resident instruction, to the Director of Research, for research, and to the Director of Extension Education, for extension education.

(*6*) The Head of Department shall be selected by the Vice-Chancellor and appointed by him with the approval of the Board.

(*7*) The duties, powers and functions of the Heads of Departments shall be such as may be prescribed.

Experiment Stations for Research.

25. (*1*) Subject to the provisions of this Ordinance and the Statutes, Experiment Stations shall be established under each corresponding University, which shall be responsible for research, both fundamental and applied, and research activities shall be concentrated as far as possible at the Central Research Stations and other Regional Research and Testing Stations in the different agro-climatic zones of the State.

(*2*) There shall be a Director of Research in each corresponding University, who shall be responsible to the Vice-Chancellor and who shall be appointed by the Vice-Chancellor in consultation with the Deans and with the approval of the Board.

(*3*) The Director of Research shall be a whole-time officer trained in Agriculture and shall initiate, guide and co-ordinate the research programme of the corresponding University and its outlying sub-stations.

Agricultural Extension Education.

26. (*1*) In relation to the territories to which the functions of a corresponding University extend, such University shall be responsible for—

(*a*) the agricultural extension functions which are primarily educational in nature; and

(*b*) imparting training to the future Extension Officers for the National Extension Blocks and instructors for the Extension Training Centres.

(*2*) All Extension Specialists in relation to any subject-matter shall be the members of the staff of their respective subject-matter sections in each corresponding University and work in close co-ordination with the Departments of Agriculture, Development and Co-operatives.

(*3*) The Director of Extension Education shall be a whole-time officer technically trained in agriculture and shall be appointed by the Vice-Chancellor in consultation with the Deans and with the approval of the Board.

(*4*) The Director of Extension Education shall be responsible to the Vice-Chancellor and shall develop programmes for assisting farmers and housewives in applying results of scientific investigations to the solution of their problems.

CHAPTER V

SERVICES

Retirement and other conditions of service.

27. The age of retirement and other conditions of service of all the officers, teachers and other employees of a corresponding University shall be such as may be prescribed.

Provident Fund.

28. Each corresponding University shall constitute gratuity and provident fund for the benefit of its officers, teachers and other employees in such manner, and subject to such conditions, as may be prescribed.

Appointment of salaried officers.

29. Subject to the provisions of this Ordinance, the members of the technical staff of a corresponding University shall be selected by the Head of the Department in consultation with the members of the Department concerned, recommended by the Dean or the Director of Research or the Director of Extension Education, as the case may be, and appointed by the Vice-Chancellor with the approval of the Board.

Temporary arrangements.

30. The Vice-Chancellor may, until such time as the authorities of the corresponding University are duly constituted, temporarily appoint any such officer of that University as such University is authorised by this Ordinance to appoint.

CHAPTER VI

STATUTES AND REGULATIONS

Statutes.

31. Subject to the provisions of this Ordinance, the Statutes of a corresponding University may provide for any matter and shall, in particular, provide for the following:—

(*a*) the constitution, powers and duties of the authorities of the University;

(*b*) the election, appointment, and continuance in office of the members of the authorities of the University and of the officers, teachers and other employees of the University including the filling up of vacancies and all other matters relating to these authorities and officers, teachers and other employees for which it may be necessary or desirable to provide;

(*c*) the designation, the manner of appointment, the powers, and the duties of the officers of the University;

(*d*) the classification and the manner of appointment of teachers;

(*e*) the constitution of gratuity or provident fund or both for the benefit of officers, teachers and other employees of the University;

(*f*) the institution of degrees and diplomas;

(*g*) the conferment of honorary degrees;

(*h*) the establishment, amalgamation, sub-division and abolition of Departments;

(*i*) the establishment, and the abolition of hostels maintained by the University;

(*j*) the institution of fellowships, scholarships, medals and prizes;

(*k*) the maintenance of a register of graduates;

(*l*) the admission of students to the University and their enrolment and continuance as such;

(*m*) the courses of study to be laid down for degrees and diplomas of the University;

(*n*) the conditions under which students shall be admitted to the degree, diploma or other courses and the manner in which the examinations are to be held and the eligibility for the award of degrees and diplomas;

(*o*) the conditions of residence of the students of the University and the levy of fees for residence in hostels maintained by the University;

(*p*) the recognition and supervision of hostels not maintained by the University;

(*q*) the number, qualifications, emoluments, and other conditions of service of officers, teachers and other employees of the University and the preparation and the maintenance of record of their services and activities;

(*r*) the fees which may be charged by the University;

(*s*) the remuneration and allowances, including travelling and daily allowances, to be paid to persons employed on the business of University;

(*t*) the conditions for the award of fellowships, scholarships, medals and prizes, stipends and fee concessions;

(*u*) all other matters which by this Ordinance are to be or may be provided for by the Statutes.

Statutes how made.

32. (*1*) The Statutes made by the existing University under section 30 of the Punjab Agricultural University Act, 1961, and in force immediately before the commencement of this Ordinance shall, in so far as they are not inconsistent with the provisions of this Ordinance, and subject to such adaptations and modifications as may be notified by the appropriate Government, be the first Statutes of a corresponding University. Punjab Act 32 of 1961.

(*2*) The Board may, from time to time, make new or additional Statutes and may amend or repeal the Statutes in the manner hereinafter provided in this section.

(*3*) The Academic Council may propose to the Board the draft of Statutes and such draft shall be considered by the Board at its next meeting:

Provided that the Academic Council shall not propose the draft of any Statute or any amendment of a Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity to express its opinion upon the proposal, and any opinion so expressed shall be considered by the Board.

(*4*) The Board may consider any such draft as is referred to in subsection (*3*) and pass the proposed Statute or reject or return it to the

Academic Council for re-consideration, either in whole or in part, together with any amendment which it may suggest.

(5) (*a*) Any member of the Board may propose to the Board the draft of any Statute and the Board may either accept or reject the proposal if it relates to a matter not falling within the purview of the Academic Council.

(*b*) In case such a draft relates to a matter within the purview of the Academic Council, the Board shall refer it for consideration to the Academic Council, which may either report to the Board that it does not approve the proposal, which, then, shall be deemed to have been rejected by the Board or submit the draft to the Board in such form as the Academic Council may approve, and the provisions of this section shall apply in the case of the draft submitted by any member of the Board as they apply in the case of a draft presented to the Board by the Academic Council.

Regulations.

33. (*1*) Any authority of a corresponding University may make Regulations consistent with this Ordinance and the Statutes for—

(*a*) laying down the procedure to be observed at its meeting and the number of members required to form a quorum;

(*b*) providing for all matters which by this Ordinance and the Statutes are to be provided for by the Regulations; and

(*c*) providing for any other matter solely concerning the authority and not provided for by this Ordinance and the Statutes.

(*2*) Every authority of the corresponding University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be transacted at meetings and for keeping of records of the proceedings of the meetings.

(*3*) The Academic Council may, subject to the provisions of the Statutes, make Regulations providing for courses of study, system of examinations, and degrees and diplomas of a corresponding University after receiving drafts of the same from the Board of Studies concerned.

(*4*) The Academic Council may not alter a draft received from the Board of Studies, but may reject or return it to the Board of Studies for further consideration together with the suggestions of the Council.

(*5*) The Board may direct the amendment, in such manner as it may specify, of any Regulation made under this section or the annulment of any Regulation made under sub-section (*1*).

Punjab Act 32 of 1961.

(*6*) Notwithstanding anything contained in this section, the Regulations made by the existing University under section 31 of the Punjab Agricultural University Act, 1961 and in force immediately before the commencement of this Ordinance shall, in so far as they are not inconsistent with the provisions of this Ordinance and subject to such adaptations and modifications as may be notified by the appropriate Government, be the first Regulations of each corresponding University.

CHAPTER VII

ACCOUNTS AND AUDIT

Accounts and audit.

34. (1) Each corresponding University shall have a general fund to which shall be credited—

(a) income from fees, endowments and grants and from properties of the University including Hostels, Experimental Stations and Farms;

(b) contributions and grants which may be made by the appropriate Government on such conditions which it may impose; and

(c) other contributions, grants, donations and benefactions.

(2) Each corresponding University shall constitute a Finance Committee consisting of—

(a) the Vice-Chancellor;

(b) the Comptroller;

(c) a member chosen by the Board from amongst the official members;

(d) a member chosen by the Board from amongst the non-official members.

(3) The powers and duties of the Finance Committee of a corresponding University shall be—

(a) to examine the annual accounts of the University and to advise the Board thereon;

(b) to examine the annual budget estimates and advise the Board thereon;

(c) to review the financial position of the University from time to time;

(d) to make recommendations to the University on all matters relating to the finances of the University;

(e) to make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the budget or which involves expenditure in excess of the amount provided in the budget.

(4) The accounts and the balance-sheet shall be submitted by the Vice-Chancellor through the Board to the appropriate Government which shall cause them to be audited by the Examiner, Local Fund Accounts.

(5) The accounts, when audited, shall be printed and copies thereof together with audit report, shall be submitted by the Vice-Chancellor to the Board, which shall forward them to the appropriate Government with such comments as may be deemed fit and that Government shall cause a copy of the audited accounts together with its comments thereon to be laid before the State Legislature.

CHAPTER VIII

MISCELLANEOUS

Division of assets and liabilities.

35. On the commencement of this Ordinance, the assets and liabilities of the existing University shall stand transferred to, and shall vest in, the Haryana Agricultural University and the Punjab Agricultural University and shall be apportioned between such Universities in accordance with the following principles, namely:—

(*a*) (*i*) any asset of the existing University which is, immediately before the commencement of this Ordinance, in the State of Haryana, and every right to such property, shall stand transferred to, and shall vest in, the Haryana Agricultural University;

(*ii*) every other asset and every right thereto shall stand transferred to, and shall vest in, the Punjab Agricultural University;

(*b*) (*i*) every liability of the existing University which is relatable to any unit or asset in the State of Haryana shall, if subsisting immediately before the commencement of this Ordinance, be the liability of the Haryana Agricultural University;

(*ii*) every other liability of the existing University, if subsisting on such commencement, shall be the liability of the Punjab Agricultural University;

(*c*) the cash balances (whether in the form of cash, bank or security deposits) and reserve funds held by the existing University, immediately before the commencement of this Ordinance, shall, after deducting all the liabilities of the existing University up to such commencement, be apportioned between the Haryana Agricultural University and the Punjab Agricultural University in the ratio of 40:60;

(*d*) every contract made by the existing University before the commencement of this Ordinance shall, if subsisting at such commencement, be deemed to have been made—

(*i*) in the case of a contract which is relatable to any asset or unit of the existing University in the State of Haryana, by the Haryana Agricultural University;

(*ii*) in any other case, by the Punjab Agricultural University;

(*e*) every share, debenture, bond and other investment made by the existing University shall be valued on the basis of average market value thereof during one year immediately before the commencement of this Ordinance, and the value so determined shall be apportioned between the Haryana Agricultural University and the Punjab Agricultural University in the ratio of 40:60;

(*f*) every borrowing made by the existing University before the commencement of this Ordinance shall, if the liability is subsisting on such commencement, be repaid together with the interest due thereon by the Haryana Agricultural University and the Punjab Agricultural University in the ratio of 40:60.

(*g*) the provident fund and accruals thereto of every officer or other employee of the existing University shall stand transferred to the corresponding University in which he has been posted on the date of the commencement of this Ordinance.

Explanation.—For the purposes of this section, "asset" shall be deemed to include all property, movable and immovable, rights, powers, authorities and privileges, and all other rights and interests arising out of such property as were immediately before the commencement of this Ordinance in the ownership, possession, power or control of the existing University, and all books of accounts, registers, records and all other documents of whatever nature relating thereto and shall also be deemed to include all obligations of whatever kind then subsisting of the existing University.

Legal Proceedings.

36. If, at the commencement of this Ordinance, any suit, appeal or other proceeding of whatever nature is pending by or against the existing University, the same shall not abate, be discontinued or be in any way prejudicially affected by reason of the dissolution of the existing University, but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against—

(*a*) the Haryana Agricultural University, if it relates to any property or unit of the existing University in the State of Haryana; and

(*b*) in any other case, the Punjab Agricultural University.

Transfer of employees.

37. (*1*) Save as otherwise provided in section 13, all officers and other employees of the existing University holding office as such immediately before the commencement of this Ordinance shall, on such commencement, become the officers or other employees of the corresponding University and such officers or other employees shall be divided between those Universities in accordance with the following principles, namely:—

(*a*) those officers or other employees of the existing University who are holding office in, or in connection with, any property or unit of the existing University in the State of Haryana shall become the officers or other employees of the Haryana Agricultural University;

(*b*) every other officer or other employee of the existing University, shall become the officer or other employee of the Punjab Agricultural University.

(*2*) Every officer or other employee of the existing University shall, on and from the commencement of this Ordinance, hold his office or service in the corresponding University on the same terms and conditions and with the same rights to pension, provident fund, gratuity and other matters as would have been admissible to him if the existing University had not been dissolved, and continue to do so unless and until his employment in the corresponding University is duly terminated or until his remuneration and terms or conditions of service are duly altered by the corresponding University.

(*3*) For the persons who immediately before the commencement of this Ordinance were the trustees for pension, provident, gratuity or other like fund, constituted for the officers or other employees of the existing University, there shall be substituted as trustees such persons as the appropriate Government may, by general or special order, specify.

(*4*) Notwithstanding anything contained in the Industrial Disputes Act, 1947, or any other law for the time being in force, the transfer of the services of any officer or other employee from the existing University to a corresponding University shall not entitle such officer or other employee to any compensation, whether under this Ordinance or under any other 14 of 1947.

law for the time being in force, and no such claim shall be entertained by any court, tribunal or other authority.

Membership of corresponding University Bodies.

38. (*1*) All casual vacancies among the members (other than *ex officio* members) of any authority or body of each corresponding University shall be filled, as soon as possible, by the person or body who or which appointed or nominated the member, whose place became vacant, and the person appointed or nominated to a casual vacancy shall be a member of such authority or body for the remaining period of the term for which the person whose place he fills would have been a member.

(*2*) A person, who is a member of any authority of a corresponding University as a representative of another body, whether of that University or not, shall retain his seat on that authority so long as he continues to be a member of the body by which he was appointed or nominated and thereafter till his successor is duly appointed or elected.

(*3*) No act or proceeding of any authority or body of a corresponding University shall be invalid by reason merely of the existence of any vacancy or defect in the constitution of such authority or body.

(*4*) If any question arises whether any person has been duly appointed as, or is entitled to be, a member of any authority of a corresponding University subordinate to the Board or whether any decision of the corresponding University is in accordance with this Ordinance and the Statutes, the question shall be referred to the appropriate Government whose decision thereon shall be final.

Annual Report.

39. (*1*) The Annual Report of a corresponding University shall be prepared under the directions of the Vice-Chancellor and submitted to the Board at least one month before the annual meeting at which it is to be considered.

(*2*) The Board shall, after consideration of the Report, forward a copy thereof to the appropriate Government.

(*3*) Notwithstanding the dissolution of the existing University, the Annual Report of the existing University for the year 1969-70 shall be prepared under the directions of the Vice-Chancellor of the Punjab Agricultural University and the Board of that University shall, after consideration of the Report, forward a copy thereof to the appropriate Government.

(*4*) On receipt of a copy of the Annual Report referred to in subsection (*1*), the appropriate Government shall cause a copy of such Report, together with its comments thereon, to be laid before the State Legislature.

Construction of references to existing University, any documents, etc.

40. Any reference to the existing University in any law, other than this Ordinance, or in any contract or other instrument shall be construed,—

(*a*) if such reference relates to any asset or property of the existing University in the State of Haryana, as a reference to the Haryana Agricultural University; and

(*b*) in any other case, as a reference to the Punjab Agricultural University.

Obligations to be discharged by the Punjab Agricultural University.

41. Any obligation incurred, before the commencement of this Ordinance, by the existing University to confer any degree or other academic distinction on, or to issue any diploma or other certificate to, any person or to grant any copy of any degree, diploma, certificate, marks-sheet or other document to any person shall, on such commencement, be the obligation of the Punjab Agricultural University.

Proportion of cost to be borne by the Government of Himachal Pradesh.

42. In consideration of the maintenance, by the Punjab Agricultural University, of a campus at Palampur, the Government of the Union territory of Himachal Pradesh shall bear a portion of the cost of the Punjab Agricultural University and the quantum of such expenditure shall be determined by the Central Government having regard to the benefit derived by that Union territory.

Settlement of unresolved disputes.

43. (*1*) If any dispute arises by reason of the dissolution of the existing University, such dispute shall be resolved in the first instance by the Vice-Chancellors of the corresponding Universities and in the event of the failure of such Vice-Chancellors to arrive at an agreed solution with regard to any such dispute, the matter shall be referred to the Secretary to the Government of India in the Ministry dealing with Agriculture and the decision thereon of such Secretary shall be final.

(*2*) If, on the establishment of a University in the Union territory of Himachal Pradesh, any dispute arises with regard to the assets or liabilities pertaining to the Agricultural College at Palampur or with regard to the transfer of the officers or other employees of such College to the University established in the Union territory of Himachal Pradesh, such dispute shall be resolved in the first instance by the Vice-Chancellor of the Punjab Agricultural University and the Chief Secretary to the Government of the Union territory of Himachal Pradesh and in the event of their failure to arrive at an agreed solution, the matter shall be referred to the Secretary to the Government of India in the Ministry dealing with Agriculture and the decision thereon of such Secretary shall be final.

Power to remove difficulties.

44. If any difficulty arises in giving effect to the provisions of this Ordinance, the President, may, by order, do anything not inconsistent with such provisions which appears to him to be necessary or expedient for the purpose of removing the difficulties.

Repeal.

45. (*1*) The Punjab Agricultural University Act, 1961, is hereby repealed. Punjab Act 32 of 1961.

(2) The provisions of the General Clauses Act, 1897, shall apply to the repeal of the said Act as if the said Act were a Central Act. 10 of 1897.

V. V. GIRI,
President.

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GOVT. OF INDIA

THE CALCUTTA PORT (AMENDMENT) ORDINANCE, 1970

NO. 2 OF 1970

Promulgated by the President in the Twenty-first Year of the Republic of India.

An Ordinance further to amend the Calcutta Port Act, 1890.

WHEREAS a Bill further to amend the Calcutta Port Act, 1890, has been introduced in Parliament but has not yet been passed;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action to give effect to the provisions of the Bill;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title and commencement.

1. (*1*) This Ordinance may be called the Calcutta Port (Amendment) Ordinance, 1970.

(*2*) It shall come into force at once.

Bengal Act 3 of 1890 to be temporarily amended.

2. During the period of operation of this Ordinance, the Calcutta Port Act, 1890 (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 and 4.

Insertion of new section 35A.

3. After section 35 of the principal Act, the following section shall be inserted, namely:—

Power of Commissioners to undertake certain works.

"35A. The Commissioners may undertake to carry out on behalf of any person (including any State Government) any works or services or any class of works or services on such terms and conditions as may be agreed upon between the Commissioners and such person.".

Amendment of section 3.

4. In section 37 of the principal Act, after sub-section (*2*), the following sub-section shall be inserted, namely:—

"(*3*) Nothing in this section shall apply to any work referred to in section 35A.".

V. V. GIRI,
President.

N. D. P. NAMBOODIRIPAD,
Joint Secy. to the Govt. of India.

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